

**United States District Court**  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

**KRISTEN ION,**

**Plaintiff,**

**v.**

**PIZZA HUT, LLC,**

**Defendants.**

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**CIVIL ACTION NO. 4:17-CV-00788**

**ORDER OF DISMISSAL**

Pending before the court is Plaintiff Kristen Ion's ("Plaintiff") Notice of Dismissal Without Prejudice Pursuant to Fed. R. Civ. P. 41(a)(1) (the "Notice") (Dkt. #43). According to the Notice, Plaintiff voluntarily dismisses this action without prejudice pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure. *See id.*

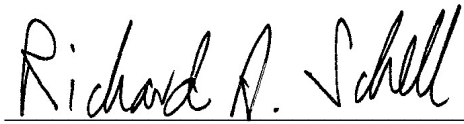
Federal Rule of Civil Procedure 41(a)(1) provides that a plaintiff may voluntarily dismiss an action without court order in one of two ways. A plaintiff may dismiss an action under Rule 41(a)(1)(A)(i) by filing "a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment." FED. R. CIV. P. 41(a)(1)(A)(i). A plaintiff may alternatively dismiss an action under Rule 41(a)(1)(A)(ii) by filing "a stipulation of dismissal signed by all parties who have appeared." *Id.* As such, formal court action is not necessary in this case. However, the court finds that in the interest of efficiency, justice, and maintaining the clarity of the record, an entry of an order of dismissal as requested by the parties is appropriate.

Accordingly, it is hereby **ORDERED, ADJUDGED, AND DECREED** that this entire action, and all of the claims asserted therein, are **DISMISSED WITHOUT PREJUDICE**. Each party shall bear its own attorneys' fees and costs.

All relief not previously granted is hereby **DENIED**, and the Clerk is directed to **CLOSE** this civil action.

**IT IS SO ORDERED.**

**SIGNED this the 16th day of July, 2018.**

A handwritten signature in black ink, reading "Richard A. Schell". The signature is written in a cursive style with a horizontal line underneath it.

RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE